

REMARKS

In response to the Office Action dated April 5, 2004, please amend the application as follows and consider the included remarks.

Disposition of Claims

Claims 1-18 are pending in this application. Claims 1, 7, and 13 are independent. The remaining claims depend, directly or indirectly, from claims 1, 7, and 13.

Rejection(s) under 35 U.S.C § 101

Claims 7-10 stand rejected under 35 U.S.C. § 101 as not being directed towards non-statutory subject matter. Claims 7-10 have been cancelled by this reply. Thus, this rejection is now moot. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C § 102

Claims 1-18 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication No. US2002/0138820 ("Daly"). Claims 7-10 have been cancelled in this reply. Thus, this rejection is now moot with respect to claims 7-10. With respect to the remaining claims, the rejection is respectfully traversed.

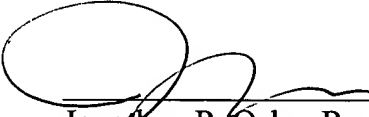
Daly is not valid prior art to this application. As evidenced by the attached declaration under 37 C.F.R. § 1.131, the present invention was conceived prior to the effective 35 U.S.C. §102 (e) date of Daly, and subsequently constructively reduced to practice with due diligence exercised by the inventor. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 16159.095001).

Respectfully submitted,

Date: 7/2/04


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